

MANDATE

UNITED STATES COURT OF APPEALS
for the
SECOND CIRCUIT

N.Y.S.D. Case #
09-cr-213(DC)

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 1st day of August, two thousand and sixteen,

United States of America,

Appellee,

v.

Bernard L. Madoff,

Defendant,

Frederick Banks,

Appellant.

ORDER

Docket Number: 16-2485

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: October 17, 2016**

A notice of appeal was filed on July 14, 2016. The filing fee of \$505.00 was due to be paid to the district court by July 28, 2016. The case is deemed in default.

Instructions for moving for *in forma pauperis* status are provided in the Court's instructions entitled "*How to Appeal a Criminal Case in the United States Court of Appeals for the Second Circuit*". The manual and the forms required to file the motion are enclosed with this order. They are also available on the Court's website www.ca2.uscourts.gov.

IT IS HEREBY ORDERED that the appeal is dismissed effective August 22, 2016 unless by that date appellant either pays the fee in full, moves for *in forma pauperis* status in district court or, if district court has denied *in forma pauperis* status, moves in this Court for *in forma pauperis* status. If appellant has filed the motion in district court and the motion is pending, appellant must so advise this Court in writing by the same date.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

Catherine O'Hagan Wolfe

MANDATE ISSUED ON 10/17/2016